



Executive Order 22-00

EXECUTIVE ORDER PROCLAIMING DANGEROUS FIRE AREAS IN FOREST LANDS IN LAKE, LINCOLN, AND FLATHEAD COUNTIES

WHEREAS, wildland fires have been and are currently burning and have created an imminent threat of a disaster in the Montana counties of Lake, Lincoln, and Flathead; and

WHEREAS, the Governor has issued Executive Order No. 20-00 proclaiming a disaster to exist statewide due to wildland fires; and

WHEREAS, there is a need to control ingress and egress to and from forest lands to protect the public health and safety and to preserve the lives and property of the people of this state in the designated counties; and

WHEREAS, there is a real need for residential ingress and egress in the areas of dangerous fire hazard; and

WHEREAS, there is a real need and there is an opportunity for recreation in limited areas in the areas of dangerous fire hazard; and

WHEREAS, there is a real need to exclude lands within the boundaries of municipalities, as defined in section 7-1-4111,-4121(9) MCA (1999), and resort areas, as defined in section 7-6-1501(4) MCA (1999).

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to authority vested in me by the Constitution of the State of Montana, Title 10, chapter 3, MCA (1999), section 87-3-106 MCA (1999), and ARM 36.10.120, do hereby declare that all state and private forest lands as defined by section 76-13-102(8) MCA (1999), in the Montana counties of Lake, Lincoln, and Flathead are designated as areas of dangerous fire hazard. The following restrictions apply in areas of dangerous fire hazard:

No person may enter or be upon any forestland without a written permit except as provided in this proclamation. Permits may be issued upon a showing of demonstrated need. No permit shall be required of those persons having an actual residence as a permanent or principal place of abode in the closed lands for the sole purpose of ingress and egress to their actual residence. No permit shall be required of any persons engaged in firefighting, fire prevention, or law enforcement when engaged in official business. All recreational activities, including, but not limited to, hunting and fishing on state and private forest lands is prohibited.

The Montana Department of Natural Resources and Conservation, as the designated agency for issuance of written permits on state and private lands, may issue general permits for ingress and egress to and from the designated portions of the areas of dangerous fire hazard, which will be published in a manner deemed appropriate by the Department. At the issuance of this executive order the attached general permits have been designated and approved by the Department of Natural Resources and Conservation.

This proclamation is effective at 12:01 a.m. August 25, 2000 and will remain in effect until rescinded or revoked.

GIVEN under my hand and the GREAT
SEAL of the State of Montana,
this ____ day of _____, 2000.

MARC RACICOT, Governor

ATTEST:

MIKE COONEY, Secretary of State

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